

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SHANNON WILLIAMS,)	8:09CV282
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
JEFFREY NEWTON, Warden, et al.,)	
)	
Defendants.)	

This matter is before the court on its own motion. On January 29, 2010, the court ordered Plaintiff to complete service of process on Defendants no later than June 1, 2010. (Filing No. [11](#).) On that date, the Clerk of the court sent six summons forms and six USM-285 forms to Plaintiff for completion and return so that service could be completed by the United States Marshal. (*Id.*) On February 18, 2010, and again on May 3, 2010, the court reminded Plaintiff that he had until June 1, 2010, to complete service of process. (Filing Nos. [17](#) and [19](#).)

On June 4, 2010, Plaintiff sent three USM-285 forms, for Defendants Newton, Korbet, and Colbert, to the Clerk of the court. (Filing No. [21](#).) Plaintiff did not sign these three USM-285 forms, did not submit any completed summons forms, and did not submit a completed USM-285 form for Defendants Foxhall, Stebbins, or Black. (*Id.*) On July 7, 2010, the court informed Plaintiff that service can only occur if Plaintiff submits a completed summons form and a completed, signed USM-285 for each Defendant. (Filing No. [22](#).) On that date, the court granted Plaintiff an additional 60 days in which to submit the required forms and complete service of process. (*Id.*) The court warned Plaintiff that failure to complete service of process by September 7, 2010, would result in dismissal of this matter without prejudice and without further notice. (*Id.*) Plaintiff has not taken any action in this matter, and specifically has not completed service of process on Defendants.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice for failure to prosecute diligently and for failure to comply with this court's orders.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 21st day of September, 2010.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge